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Criteria for Identification of Limited English Proficiency

These guidelines are the result of discussion with representatives of school districts in Montana with significant populations of limited English proficient (LEP) students. School districts need to have a process for identifying the LEP students in their schools that all instructional and counseling staff understand. With the passage of “No Child Left Behind,” funding for serving LEP students has changed from a competitive program to a formula program administered by the OPI. Districts will receive funding based on the numbers of LEP students identified in their districts. Additionally, there are provisions in Title I for assessing LEP students. As of spring 2001, statewide assessment results must be disaggregated on the basis of limited English proficiency and other categories. Both for this purpose and in order to provide appropriate services, it is important to be clear on how we are identifying students as LEP.

Montana observes the following definition from Title III of the No Child Left Behind: LIMITED ENGLISH PROFICIENT—when used with respect to an individual, means an individual

(A) who is aged 3 through 21 and is enrolled or preparing to enroll in an elementary or secondary school;

—AND—

- (B) (i) who was not born in the United States or whose native language is a language other than English; or
- (ii) (I) who is an American Indian or Alaska Native, or a native of the outlying areas; and
(II) who comes from an environment where a language other than English has had a significant impact on the individual’s level of English language proficiency; or
- (iii) who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant;

—AND—

- (C) whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual
- (i) the ability to meet the state’s proficient level of achievement on state assessments described in section 111(b)(3);
- (ii) the ability to successfully achieve in classrooms where the language of instruction is English; or
- (iii) the opportunity to participate fully in our society.

It is important to note that the definition addresses both language and academic achievement. While language impact affects entire communities, academic achievement varies from student to student. LEP students are those students who are not achieving academically due to the level of their English language proficiency.

The following guidelines have been established to assist districts in this effort; they represent a summary of acceptable practices that districts may use in establishing their processes. The process may vary within districts depending on the level of English proficiency of the students, e.g., a newly arrived immigrant student or a fourth grade American Indian student. Given that reading comprehension depends on the language knowledge that a reader brings to the process of reading, which involves much more than decoding—in fact, LEP students are often very good at decoding, while not comprehending—it is useful to look at assessment of reading comprehension. Particularly for more proficient students, in order to avoid the pitfalls of a one-time assessment, an on-going check of English proficiency that involves multiple measures, such as comprehension, writing, and reading is necessary. A district process could include:

- Home language survey
- English language proficiency test, which should include oral comprehension, speaking, and reading
- Writing assessment
- Observation scale
- Running record
- Developmental reading assessment
- Checklist of reading proficiency carried out in conjunction with district reading program
- Reading score on state assessment
- Cloze test

The LEP identification process should include appropriate measures at varying grade levels, i.e., the process for identifying kindergarten students will be different for those in upper grades. Districts can utilize classroom procedures in place to develop a balanced process that encompasses elements listed above.